

Congressman Nadler Opposes President's Resolution Authorizing Military Force in Iraq

Tuesday, 08 October 2002

WASHINGTON -- Below is the prepared floor statement of Rep. Jerrold Nadler on House Joint Resolution 114:

Mr. Speaker, I rise in opposition to this resolution. I take the threat of nuclear weapons in the hands of a hostile and aggressive Iraq very seriously. On Sept. 11, when my district was attacked, I thanked God the terrorists did not have nuclear weapons.

We all want to protect this nation. The question before us today is not whether to protect America, but how best to do so.

This resolution is not a "compromise." It is, in all important respects, still very much the original draft - a blank check like the Gulf of Tonkin resolution.

Saddam Hussein poses a real danger. He has consistently shown reckless aggressiveness, hostility to the United States and to Israel, a willingness to invade other countries without provocation, a willingness to use chemical and biological weapons against civilian populations, a relentless drive to obtain weapons of mass destruction, including nuclear weapons, and the means to deliver them, and a reckless aggressiveness.

The conclusion is inescapable that the acquisition of nuclear weapons by Iraq would pose an intolerable threat to the United States and to world peace.

That threat must be met -- if at all possible through the United Nations, and in accordance with international law. War must be the last resort, not the first option.

We should not, grant the President a blank check. Make no mistake. This resolution grants the President the power to go to war, entirely at his discretion. While the resolution pays lip service to the need for international cooperation, it does not require the President to seek it. While the resolution mentions a desire to work through the United Nations, it does not require the President to exhaust our options at the UN before starting a war. The resolution requires the President to inform Congress that efforts in the UN and the international community have failed, but he need not do so until after he starts a war.

We must grant the President the power to take prudent action to meet the threat from Iraq, but only action that does not, itself, threaten international peace and security.

The United States should seek a UN resolution providing for the immediate return to Iraq of beefed-up arms inspection teams, and demanding that they be afforded unfettered and unconditional access to all sites they deem necessary to accomplish their task of locating and destroying all chemical, biological, and nuclear weapons, and their production facilities.

The UN resolution should authorize the use of military force to the extent necessary to overcome any Iraqi attempts to

interfere with the inspection teams.

And Congress should authorize the President to use military force only to enable the inspection teams to do their jobs.

We might, this way, be able to eliminate the threat of Iraq's chemical, biological, and nuclear weapons without military conflict. But if military conflict occurred, we would be better off as part of a multi-lateral effort enforcing a Security Council inspection and disarmament order, with the onus on Saddam Hussein for starting the conflict, then we would as a lone ranger invading Iraq on our own, with most of the world looking on in disapproval.

Let me remind my colleagues: Before they were ejected from Iraq, UN inspectors destroyed more weapons and more weapons facilities than did the Coalition forces during the Gulf War. This proven, successful course of action should be fully utilized before we risk regional conflagration. I believe the Security Council would adopt a resolution embodying such a specific, limited approach, and that, working through the UN, and with other nations, the United States could participate in successfully implementing it.

Finally, Mr Speaker, the President insists that, in addition to disarming Saddam, we must overthrow his regime.

"Regime change" is not a legitimate purpose for the use of military force under international law. America should not be seen as an international bully - arrogating to ourselves the right to depose and impose regimes on other countries. If we have this right, why only us? What do we say when China demands "regime change" in Taiwan, or India in Pakistan?

Moreover, demanding "regime change" is extremely dangerous. It is one thing to tell Saddam Hussein he must disarm. It is quite another to demand the end of his regime. Faced with such a threat, which, in practical terms, means his death, there would be nothing to deter Saddam Hussein from deciding, like Samson in the Philistine Temple, that he might as well pull the world down with him. Why should he not go down in history as an Arab hero by attacking Israel with chemical or biological weapons of perhaps devastating lethality? Israel might then feel compelled to retaliate, and no one can calculate the course of escalation from there.

Just yesterday, the Director of the CIA, George Tenet, told the other body, "Baghdad, for now, appears to be drawing a line short of conducting terrorist attacks with conventional or chemical or biological weapons." But, he continued, if Saddam concluded the survival of his regime was threatened, "he probably would become much less constrained in adopting terrorist action."

Mr. Speaker, we must constrain the Administration from pursuing this perilous course. The substitute resolution offered by Mr. Spratt grants the President authority to use military force as part of a multi-lateral effort to divest Saddam of his weapons of mass destruction. That is as far as we should go.

We must draw this line, Mr. Speaker, not because we are unconcerned with our country's security - but precisely because we care so much for it.

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